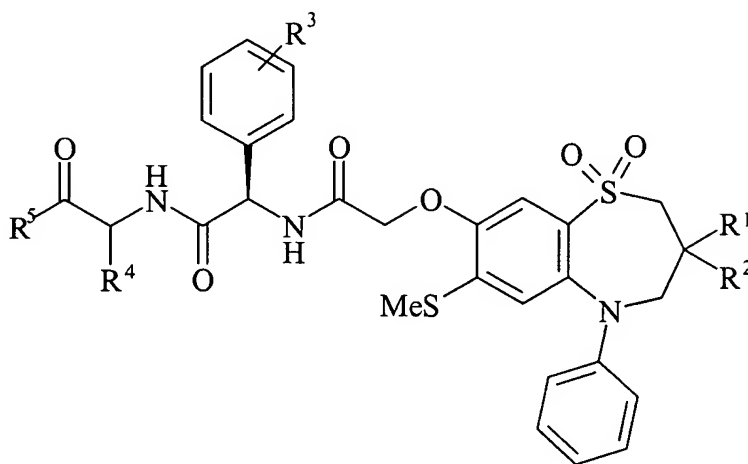


**Amendments to the Claims:**

**This listing of claims will replace all prior versions and listing of claims in the application.  
 Please amend claim 1 as indicated and cancel claim 20 without prejudice or disclaimer.**

Claim 1 (**currently amended**): A compound of formula (I):



(I)

wherein:

R<sup>1</sup> and R<sup>2</sup> are both butyl;

R<sup>3</sup> is hydrogen, hydroxy or halo;

R<sup>4</sup> is C<sub>1-4</sub>alkyl optionally substituted by hydroxy, methoxy and methylS(O)<sub>a</sub> ~~methylS(O)<sub>a</sub>~~  
 wherein a is 0-2

R<sup>5</sup> is hydroxy or HOC(O)CH(R<sup>6</sup>)NH-;

R<sup>6</sup> is selected from hydrogen and C<sub>1-3</sub>alkyl optionally substituted by hydroxy, methoxy and  
 methylS(O)<sub>a</sub> wherein a is 0-2;

or a pharmaceutically acceptable salt, solvate or solvate of such a salt, or an *in vivo* hydrolysable  
 ester formed on an available carboxy or hydroxy thereof, or an *in vivo* hydrolysable amide  
 formed on an available carboxy thereof;

with the proviso that when R<sup>1</sup> and R<sup>2</sup> are both butyl, R<sup>5</sup> is hydroxy and R<sup>4</sup> is methylthiomethyl,  
 methylsulphinylmethyl, 2-methylthioethyl, hydroxymethyl, methoxymethyl; R<sup>3</sup> is not hydrogen;

and with the proviso that when  $R^1$  and  $R^2$  are both butyl,  $R^5$  is  $\text{HOC(O)CH(R}^6\text{)NH-}$ ,  $R^6$  is hydroxymethyl and  $R^4$  is hydroxymethyl;  $R^3$  is not hydrogen.

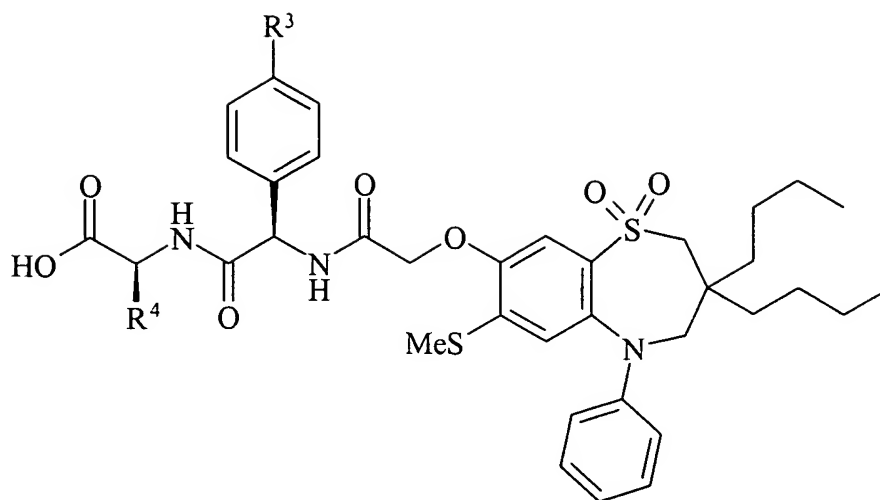
Claims 2-3 (**cancelled**).

Claim 4 (**previously presented**): A compound of formula (I) according to claim 1 wherein  $R^3$  is hydrogen or hydroxy; or a pharmaceutically acceptable salt, solvate or solvate of such a salt, or an *in vivo* hydrolysable ester formed on an available carboxy or hydroxy thereof, or an *in vivo* hydrolysable amide formed on an available carboxy thereof.

Claim 5 (**previously presented**): A compound of formula (I) according to claim 1 wherein  $R^4$  is selected from methyl and ethyl; or a pharmaceutically acceptable salt, solvate or solvate of such a salt, or an *in vivo* hydrolysable ester formed on an available carboxy or hydroxy thereof, or an *in vivo* hydrolysable amide formed on an available carboxy thereof.

Claim 6 (**previously presented**): A compound of formula (I) according to claim 1 wherein  $R^5$  is hydroxy; or a pharmaceutically acceptable salt, solvate or solvate of such a salt, or an *in vivo* hydrolysable ester formed on an available carboxy or hydroxy thereof, or an *in vivo* hydrolysable amide formed on an available carboxy thereof.

Claim 7 (**previously presented**): A compound of formula (I'):



(I')

wherein:

$R^4$  is selected from  $C_{1-4}$ alkyl, hydroxymethyl, 1-hydroxyethyl, methoxymethyl, methylthiomethyl, methylsulphinylmethyl, mesylmethyl, 2-methylthioethyl, 2-methylsulphinyethyl and 2-mesylethyl and  $R^3$  is hydroxy; or

$R^4$  is selected from  $C_{1-4}$ alkyl, 1-hydroxyethyl, mesylmethyl, 2-methylsulphinyethyl and 2-mesylethyl and  $R^3$  is hydrogen;

or a pharmaceutically acceptable salt, solvate or solvate of such a salt, or an *in vivo* hydrolysable ester formed on an available carboxy or hydroxy thereof, or an *in vivo* hydrolysable amide formed on an available carboxy thereof.

**Claim 8 (previously presented):** A compound of formula (I) as claimed in claim 1 selected from:

1,1-dioxo-3,3-dibutyl-5-phenyl-7-methylthio-8-(*N*-{(*R*)- $\alpha$ -[*N'*-(*S*)-1-carboxyethyl] carbamoyl]benzyl} carbamoylmethoxy)-2,3,4,5-tetrahydro-1,5-benzothiazepine;

1,1-dioxo-3,3-dibutyl-5-phenyl-7-methylthio-8-(*N*-{(*R*)- $\alpha$ -[*N'*-(*S*)-1-carboxypropyl] carbamoyl]benzyl} carbamoylmethoxy)-2,3,4,5-tetrahydro-1,5-benzothiazepine;

1,1-dioxo-3,3-dibutyl-5-phenyl-7-methylthio-8-(*N*-{(*R*)- $\alpha$ -[*N'*-(*S*)-1-carboxybutyl]

carbamoyl]benzyl} carbamoylmethoxy)-2,3,4,5-tetrahydro-1,5-benzothiazepine;  
1,1-dioxo-3,3-dibutyl-5-phenyl-7-methylthio-8-(*N*-{(*R*)- $\alpha$ -[*N'*-((*S*)-1-carboxy-2-methylpropyl)carbamoyl]benzyl} carbamoylmethoxy)-2,3,4,5-tetrahydro-1,5-benzothiazepine;  
1,1-dioxo-3,3-dibutyl-5-phenyl-7-methylthio-8-(*N*-{(*R*)- $\alpha$ -[*N'*-((*S*)-1-carboxy-2-methylbutyl)carbamoyl]benzyl} carbamoylmethoxy)-2,3,4,5-tetrahydro-1,5-benzothiazepine;  
1,1-dioxo-3,3-dibutyl-5-phenyl-7-methylthio-8-(*N*-{(*R*)- $\alpha$ -[*N'*-((*S*)-1-carboxy-3-methylbutyl)carbamoyl]benzyl} carbamoylmethoxy)-2,3,4,5-tetrahydro-1,5-benzothiazepine;  
1,1-dioxo-3,3-dibutyl-5-phenyl-7-methylthio-8-(*N*-{(*R*)- $\alpha$ -[*N'*-((*S*)-1-carboxy-2-hydroxypropyl)carbamoyl]benzyl} carbamoylmethoxy)-2,3,4,5-tetrahydro-1,5-benzothiazepine;  
1,1-dioxo-3,3-dibutyl-5-phenyl-7-methylthio-8-(*N*-{(*R*)- $\alpha$ -[*N'*-((*S*)-1-carboxy-2-mesylethyl)carbamoyl]benzyl} carbamoylmethoxy)-2,3,4,5-tetrahydro-1,5-benzothiazepine;  
1,1-dioxo-3,3-dibutyl-5-phenyl-7-methylthio-8-(*N*-{(*R*)- $\alpha$ -[*N'*-((*S*)-1-carboxy-3-mesylpropyl)carbamoyl]benzyl} carbamoylmethoxy)-2,3,4,5-tetrahydro-1,5-benzothiazepine;  
1,1-dioxo-3,3-dibutyl-5-phenyl-7-methylthio-8-(*N*-{(*R*)- $\alpha$ -[*N'*-((*S*)-1-carboxyethyl) carbamoyl]-4-hydroxybenzyl} carbamoylmethoxy)-2,3,4,5-tetrahydro-1,5-benzothiazepine;  
1,1-dioxo-3,3-dibutyl-5-phenyl-7-methylthio-8-(*N*-{(*R*)- $\alpha$ -[*N'*-((*S*)-1-carboxypropyl) carbamoyl]-4-hydroxybenzyl} carbamoylmethoxy)-2,3,4,5-tetrahydro-1,5-benzothiazepine;  
1,1-dioxo-3,3-dibutyl-5-phenyl-7-methylthio-8-(*N*-{(*R*)- $\alpha$ -[*N'*-((*S*)-1-carboxybutyl) carbamoyl]-4-hydroxybenzyl} carbamoylmethoxy)-2,3,4,5-tetrahydro-1,5-benzothiazepine;  
1,1-dioxo-3,3-dibutyl-5-phenyl-7-methylthio-8-(*N*-{(*R*)- $\alpha$ -[*N'*-((*S*)-1-carboxy-2-methylpropyl)carbamoyl]-4-hydroxybenzyl} carbamoylmethoxy)-2,3,4,5-tetrahydro-1,5-benzothiazepine;  
1,1-dioxo-3,3-dibutyl-5-phenyl-7-methylthio-8-(*N*-{(*R*)- $\alpha$ -[*N'*-((*S*)-1-carboxy-2-methylbutyl)carbamoyl]-4-hydroxybenzyl} carbamoylmethoxy)-2,3,4,5-tetrahydro-1,5-benzothiazepine;  
1,1-dioxo-3,3-dibutyl-5-phenyl-7-methylthio-8-(*N*-{(*R*)- $\alpha$ -[*N'*-((*S*)-1-carboxy-3-

methylbutyl)carbamoyl]-4-hydroxybenzyl} carbamoylmethoxy)-2,3,4,5-tetrahydro-1,5-benzothiazepine;

1,1-dioxo-3,3-dibutyl-5-phenyl-7-methylthio-8-(*N*-{(*R*)- $\alpha$ -[*N'*-((*S*)-1-carboxy-2-hydroxyethyl)carbamoyl]-4-hydroxybenzyl} carbamoylmethoxy)-2,3,4,5-tetrahydro-1,5-benzothiazepine;

1,1-dioxo-3,3-dibutyl-5-phenyl-7-methylthio-8-(*N*-{(*R*)- $\alpha$ -[*N'*-((*S*)-1-carboxy-2-hydroxypropyl)carbamoyl]-4-hydroxybenzyl} carbamoylmethoxy)-2,3,4,5-tetrahydro-1,5-benzothiazepine;

1,1-dioxo-3,3-dibutyl-5-phenyl-7-methylthio-8-(*N*-{(*R*)- $\alpha$ -[*N'*-((*S*)-1-carboxy-2-methylthioethyl)carbamoyl]-4-hydroxybenzyl} carbamoylmethoxy)-2,3,4,5-tetrahydro-1,5-benzothiazepine;

1,1-dioxo-3,3-dibutyl-5-phenyl-7-methylthio-8-(*N*-{(*R*)- $\alpha$ -[*N'*-((*S*)-1-carboxy-2-methylsulphinyethyl)carbamoyl]-4-hydroxybenzyl} carbamoylmethoxy)-2,3,4,5-tetrahydro-1,5-benzothiazepine;

1,1-dioxo-3,3-dibutyl-5-phenyl-7-methylthio-8-(*N*-{(*R*)- $\alpha$ -[*N'*-((*S*)-1-carboxy-2-mesyethyl)carbamoyl]-4-hydroxybenzyl} carbamoylmethoxy)-2,3,4,5-tetrahydro-1,5-benzothiazepine;

1,1-dioxo-3,3-dibutyl-5-phenyl-7-methylthio-8-(*N*-{(*R*)- $\alpha$ -[*N'*-((*S*)-1-carboxy-2-methoxyethyl)carbamoyl]-4-hydroxybenzyl} carbamoylmethoxy)-2,3,4,5-tetrahydro-1,5-benzothiazepine;

1,1-dioxo-3,3-dibutyl-5-phenyl-7-methylthio-8-(*N*-{(*R*)- $\alpha$ -[*N'*-((*S*)-1-carboxy-3-methylthiopropyl)carbamoyl]-4-hydroxybenzyl} carbamoylmethoxy)-2,3,4,5-tetrahydro-1,5-benzothiazepine;

1,1-dioxo-3,3-dibutyl-5-phenyl-7-methylthio-8-(*N*-{(*R*)- $\alpha$ -[*N'*-((*S*)-1-carboxy-3-methylsulphinylpropyl)carbamoyl]-4-hydroxybenzyl} carbamoylmethoxy)-2,3,4,5-tetrahydro-1,5-benzothiazepine;

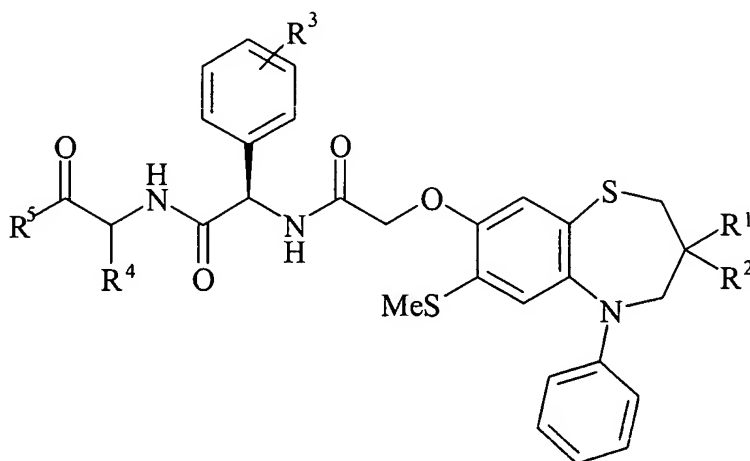
1,1-dioxo-3,3-dibutyl-5-phenyl-7-methylthio-8-(*N*-{(*R*)- $\alpha$ -[*N'*-((*S*)-1-carboxy-3-

mesylpropyl)carbamoyl]-4-hydroxybenzyl} carbamoylmethoxy)-2,3,4,5-tetrahydro-1,5-benzothiazepine;

or a pharmaceutically acceptable salt, solvate or solvate of such a salt, or an *in vivo* hydrolysable ester formed on an available carboxy or hydroxy thereof, or an *in vivo* hydrolysable amide formed on an available carboxy thereof.

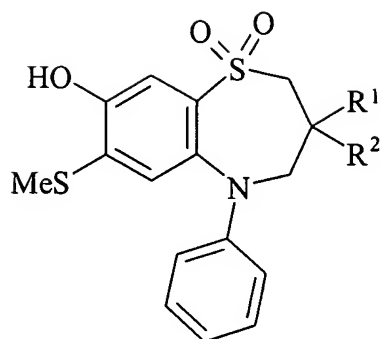
Claim 9 (previously presented): A process for preparing a compound of formula (I) as claimed in claim 1 or a pharmaceutically acceptable salt, solvate or solvate of such a salt, or an *in vivo* hydrolysable ester formed on an available carboxy or hydroxy thereof, or an *in vivo* hydrolysable amide formed on an available carboxy thereof which process (wherein variable groups are, unless otherwise specified, as defined in formula (I)) comprises of:

*Process 1*): oxidising a benzothiazepine of formula (II):



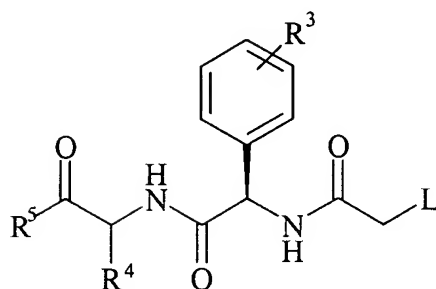
(II);

*Process 2*): reacting a compound of formula (III):



(III)

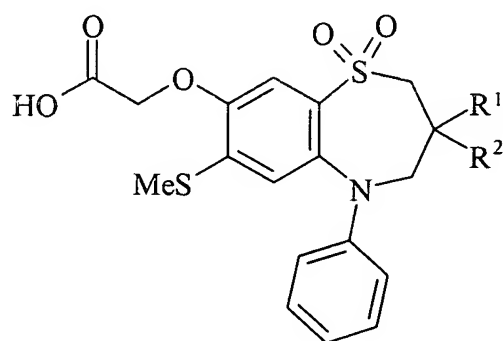
with a compound of formula (IV):



(IV)

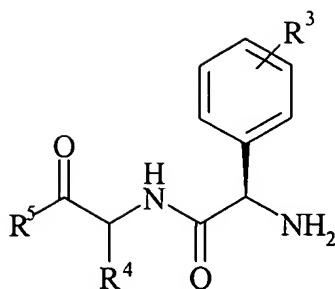
wherein L is a displaceable group;

*Process 3*): reacting an acid of formula (V):



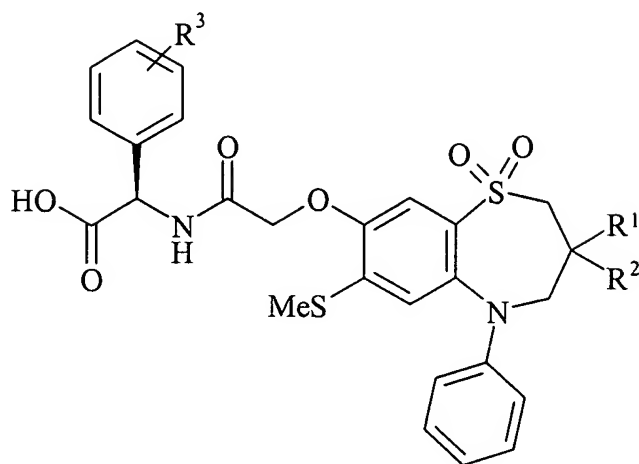
(V)

or an activated derivative thereof; with an amine of formula (VI):



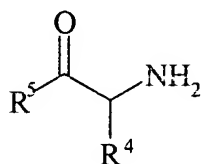
(VI);

Process 4): reacting an acid of formula (VII):



(VII)

or an activated derivative thereof; with an amine of formula (VIII):



(VIII)

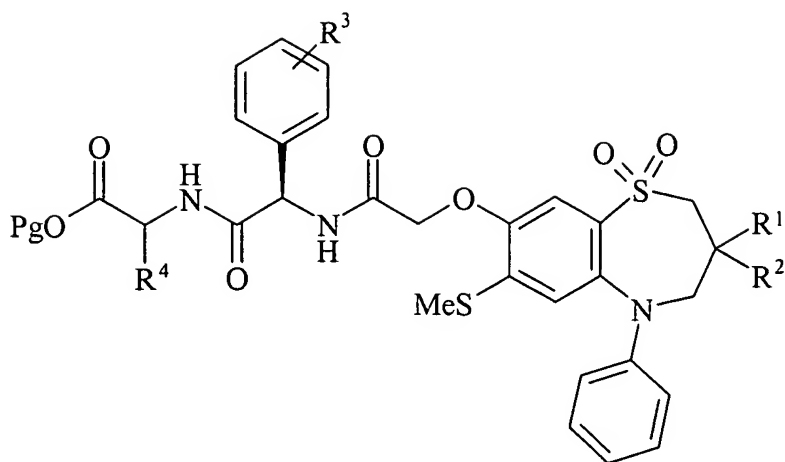
Process 5): for compounds of formula (I) wherein R<sup>5</sup> is HOC(O)CH(R<sup>6</sup>)NH<sub>2</sub>; reacting a compound of formula (I) wherein R<sup>5</sup> is hydroxy with an amine of formula (IX):



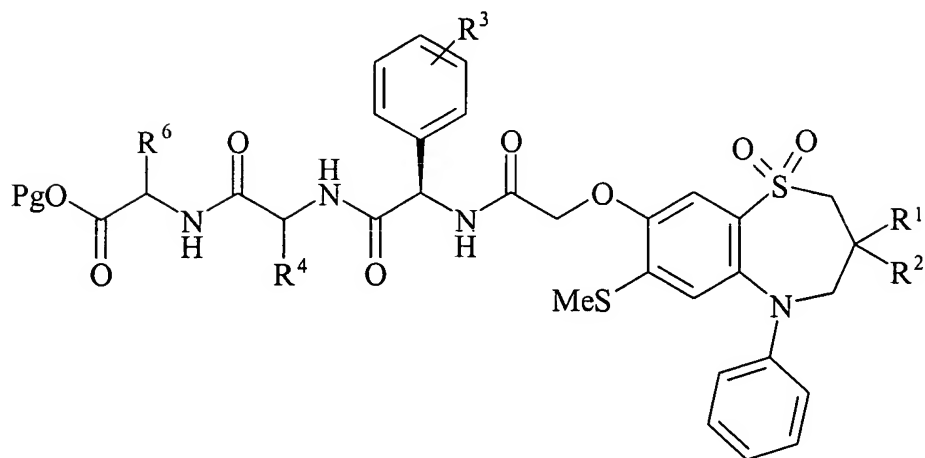
(IX)

Process 6): deprotecting a compound of formula (X) or a compound of formula (XI):





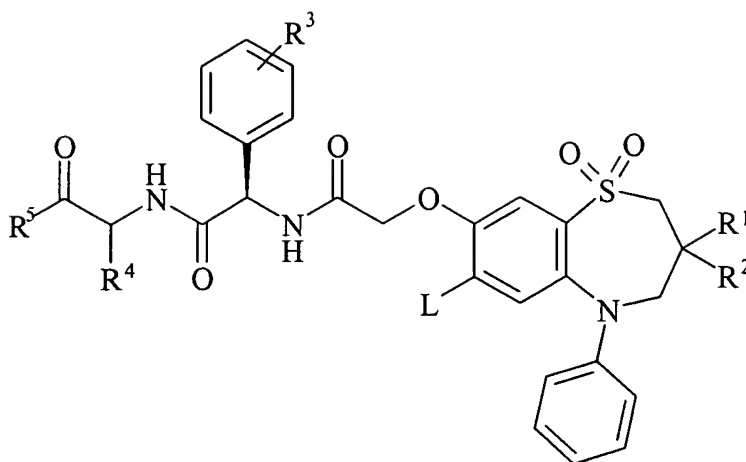
(X)



(XI)

wherein Pg is an acid protecting group;

Process 7) reacting a compound of formula (XII):



(XII)

wherein L is a displaceable group; with methylthiol;

and thereafter optionally:

- i) converting a compound of the formula (I) into another compound of the formula (I);
- ii) removing any protecting groups;
- iii) forming a pharmaceutically acceptable salt, solvate or solvate of such a salt, or an *in vivo* hydrolysable ester formed on an available carboxy or hydroxy thereof, or an *in vivo* hydrolysable amide formed on an available carboxy thereof.

Claims 10-13 (**cancelled**).

Claim 14 (**previously presented**): A pharmaceutical composition which comprises a compound of formula (I) or formula (I'), or a pharmaceutically acceptable salt, solvate or solvate of such a salt, or an *in vivo* hydrolysable ester formed on an available carboxy or hydroxy thereof, or an *in vivo* hydrolysable amide formed on an available carboxy thereof, as claimed in any one of claims 1 or 4 to 8, in association with a pharmaceutically-acceptable diluent or carrier.

Claims 15-21 (**cancelled**).